

FISCAL NOTE

HB 444 - SB 1693

April 6, 2005

SUMMARY OF BILL: Increases the penalty for failure to appear when charge is a felony from a Class E felony to one classification lower than the classification of the highest offense for which the defendant is charged but no less than a Class E felony.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$309,100/Incarceration*

Assumptions:

- 449 admissions to the Department of Correction for failure to appear during fiscal year 2003-04.
- Offenses for which defendant were incarcerated for failure to appear were: 2 for Class A felony, 40 for Class B felony, and 142 for Class C felony.
- 25% of the sentences for failure to appear will be served consecutively to the sentence for the original offense.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director